

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEAGRAPE INVESTORS LLC,

Plaintiff,

v.

KALEIL ISAZA TUZMAN, MICHAEL SINGER, THE SINGER 1995 FAMILY TRUST, INNOCREATIVE CAPITAL, LLC, KIT CAPITAL (NEVIS) LLC, OBRA PIA LTD., OBRA PIA (U.S.) FEEDER, LP, OBRA PIA MANAGEMENT, GP, LTD., and OBRA PIA LTD., SUCURSAL COLOMBIA,

Defendants.

21-CV-7517 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On September 23, 2022, the Court issued an order following an oral ruling denying Seagrape's motion for summary judgment in the related action, *Seagrape Investors LLC v. Tuzman et al.* (19-cv-09736), but granting Seagrape leave to file a renewed motion for summary judgment on the discrete issue of whether its right to repayment remains subordinated to the Senior Loan. In light of the Court's ruling, and as discussed with the parties, Defendants' motion to dismiss the instant action is hereby denied without prejudice to renewal within 30 days of the resolution of Seagrape's forthcoming motion in the related matter. Any renewed motion to dismiss in this case shall address the impact of the Court's rulings in the related matter on the claims asserted herein.

The Clerk of Court is respectfully directed to terminate the motion pending at docket entry 33.

SO ORDERED.

Dated: September 29, 2022
New York, New York


RONNIE ABRAMS
United States District Judge